IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.75675-M of 2006

DATE OF DECISION: FEBRUARY 5, 2007

Tejbir and another

...PETITIONERS

VERSUS

State of Haryana

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr.Lalit Gupta, Advocate,
for Mr.S.S.Gill, Advocate,
for petitioner No.2.
Mr.Partap Singh, Sr.DAG, Haryana.

...

The petitioners apprehending their arrest in a non-bailable offence in case FIR No.246 dated 11.11.2006 registered under Sections 148,149,323,324,452,506 and later on added under Sections 325,326 and 307 IPC at Police Station Sadar Panipat, have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

While issuing notice of motion on December 7, 2006, arrest of petitioner No.2 was stayed subject to his joining the investigation.

I have heard the counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioner contends that petitioner No.2 is alleged to have caused grievous injury by sharp edged weapon to one Bijender. Counsel contends that initially when the case was registered under Sections 148,149,323,324,452,506 IPC, petitioner No.2 was arrested and was granted regular bail after six days. Counsel contends that the petitioner's side also received injuries.

Counsel further contends in terms of the interim order dated December 7, 2006, petitioner No.2 has joined the investigation. In this case, challan has also been presented. Counsel for the respondent-State does not dispute these facts and further states that petitioner No.2 is no more required for further investigation.

In view of the above, the interim order dated December 7, 2006, is made absolute qua petitioner No.2 on the same terms and conditions.

Disposed of accordingly.

February 5, 2007 (SATISH KUMAR MITTAL)
vkg JUDGE